IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

MFA.No. 1102 of 2000()

OPMV.1029/1996 of MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM
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APPELLANT:

MEENA GANESH, W/O A.N. GANESH,
AGED 44 YEARS, MANOJ VIHAR,
CHUDUVALATHUR POST, SHORNUR,
PALAKKAD.

BY ADV. SRI.O.P.NANDAKUMAR
SRI.V.A.AJAI KUMAR

RESPONDENTS:
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1. THE MANAGING PARTNER, MAYILVAHANAM-
TRANSPORT SERVICE, SHORNUR-679121

2. SALIM, S/O MOHAMMED SAHIB, AGED 31 YEARS,
LAKSHAM VEEDU, PUTHANOOR,
KOZHALMANNAM, PALAKKAD

3. THE UNITED INDIA INSURANCE COMPANY LTD,
OTTAPPALAM.

BY ADV. SRI.M.S.PATTALI
SRI.T.VINOD KUMAR

THIS MISC. FIRST APPEAL HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K. BASHEER, JJ

M.F.A.1102/2000

Dated this the 15th day of October, 2007

JUDGMENT

Radhakrishnan, J

Appeal is filed against the award in O.P.(MV). 1029/1996 of the Motor Accident Claims Tribunal, Ottappalam. Claimant/appellant is a cine artist, sustained injuries in a Motor Vehicle Accident on 23.10.1995 which occurred due to the rash and negligent driving of the second respondent. Appellant filed O.P.(MV).1029/1996 for compensation and the Tribunal awarded an amount of Rs.32,806/- to her. Petitioner was hospitalised for a period from 23.10.1995 to 8.11.1995. She has sustained permanent disability which was assessed 7%. Hence, a sum of Rs.6,500/- was awarded towards disability compensation and a sum of Rs.3,000 was allowed for disfigurement. Ext.A37 series are medical prescriptions and Ext.A38, the medical bills account for a sum of Rs.5556/- and Ext.A40 series are negative and photos showing the injury caused on right hand as well as over the sygomatic region of her face. she was also allowed a

sum of Rs.5000/- as compensation towards pain and suffering and another sum of Rs.1000/- under the head compensation.

2. Considering the nature of injuries she has sustained and also the fact that the petitioner was hospitalised for several days, we are inclined to award Rs.10,000/-, instead of Rs.5,000/-. To compensate the facial injury, we are inclined to give Rs.5,000/- instead of Rs.3,000/-. Thus, altogether an additional compensation of Rs.15,000/- is awarded with 7.5% interest per annum from the date of the petition, till payment.

Appeal is disposed of as above.

K.S.RADHAKRISHNAN
Judge

A.K. BASHEER
Judge

mrcs